

### **REMARKS**

Claims 31-37 and 45-48 remain pending in the present application. Claim 31 has been amended. Claims 45-48 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 31-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kujirai, et al. (U.S. Pat. No. 5,715,705) in view of Todd (U.S. Pat. No. 3,008,694). Claims 31-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art as applied to Claims 31-37 above, and further in view of JP 8-104129 or JP 7-35496.

In amended Claim 31 of the present invention, the air inlet is opened and extended to a position proximate to the boundary between the core portion and the tank portion in the longitudinal direction of tubes. Here, the longitudinal direction of the tubes is perpendicular to the flow direction of air flowing into the lower space under the cooling heat exchanger from the air inlet. Further, the air introduced through the air inlet is directed to a position directly under the core portion but not to a position directly under the tank portion such that the condensed water collected on the tank portion is not disturbed by the air introduced through the air inlet. Accordingly, the air introduced from the air inlet flows toward the entire lower portion of the core portion in the tube longitudinal direction that is approximately perpendicular to the flow direction of air flowing into the lower space under the cooling heat exchanger. Therefore, air from the

air inlet can be directly introduced to the entire lower portion of the core portion, with only a small air flow resistance.

In Kujirai, et al (U.S. Pat. No. 5,715,705), as shown in Figure 7, the air inlet 322 is provided to face a part of a lower portion of the cooling heat exchanger 10 and not proximate to a boundary between the core portion and the tank portion.

Similarly to Kujirai, in Todd, the air inlet 44 is not opened and extended to the position proximate to the boundary between the tank and the core portion in the tube longitudinal direction that is perpendicular to the air flow direction from the air inlet 44. It does not appear that Todd discloses a tank portion and a core portion for core 48. In addition, in Todd, the air is not introduced to the entire core portion from the air inlets 44 in the tube longitudinal direction perpendicular to the air flow direction from the air inlets 44. That is, the air inlet 44 of Todd does not extend under the entire core portion and to the boundary in the direction perpendicular to the flow direction of air flowing into the lower space under the cooling heat exchanger.

In JP 8-104129 or JP 7-35496, ribs or protrusions are provided to protrude upwardly from a lower case portion so that air does not flow through a portion of the cooling heat exchanger. However, in the present invention of this application, the air inlet is provided so that air does not flow over the tank of the cooling heat exchanger. Further, in JP 7-35496, the cooling heat exchanger (1) is arranged vertically, and air passes through the cooling heat exchanger horizontally.

Thus, Applicants believe Claim 31, as amended, patentably distinguishes over the art of record. Likewise, Claims 32-37 which ultimately depend from Claim 31 are

also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **NEW CLAIMS**

New Claims 45-47 are dependent claims which ultimately depend from Claim 31. In new Claim 45 of the present invention, the face opening, the defroster opening and the foot opening are provided in the case at an upper side of the heating heat exchanger and downstream of the heating heat exchanger. Further, the face opening and the defroster opening are opened while being arranged approximately in an inclined direction of the cooling heat exchanger, and the face opening is opened at an inclined lower side of the cooling heat exchanger, with respect to the defroster opening. Therefore, cool air after passing through the cooling heat exchanger can be readily introduced into the face opening, as compared with the defroster opening. Thus, in a face mode, cool air can be readily introduced into the face opening, and a flow resistance of air flowing from the face opening portion can be increased. New Claim 48 is an independent claim which is similar to previous Claim 31 but it includes some of the deleted material of the previous Claim 31.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt



and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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